

10-14-05

AC 12873

<b>COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES &amp; PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Small Entity)</b>											
Docket No. 353-100											
In Re Application Of: <b>STEPHEN LEROY POLLARD</b>											
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.						
09/388,069	9/1/1999	DANG, HUNG XUAN	NONE	2873	3357						
<p><b>Invention:</b> <b>COMFORT OPTICS VISOR</b></p>											
<u><b>COMMISSIONER FOR PATENTS:</b></u>											
<p>This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of <u>APRIL 14, 2005</u> in the above-identified application.</p>											
<p><u>Date</u></p> <p>Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated <u>APRIL 14, 2005</u> finally rejecting Claim(s)</p>											
<p>Applicant(s) hereby request(s) an extension of time of (check desired time period):</p> <p><input type="checkbox"/> One month      <input type="checkbox"/> Two months      <input checked="" type="checkbox"/> Three months      <input type="checkbox"/> Four months      <input type="checkbox"/> Five months</p> <p>from: <u>JULY 14, 2005</u>      until: <u>OCTOBER 14, 2005</u></p> <p><u>Date</u>      <u>Date</u></p>											
<p>The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Fee for Notice of Appeal:</td> <td style="width: 60%; text-align: right;"><u>\$250.00</u></td> </tr> <tr> <td>Fee for Extension of Time:</td> <td style="text-align: right;"><u>\$510.00</u></td> </tr> <tr> <td colspan="2" style="text-align: center;"><b>TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: <u>\$760.00</u></b></td> </tr> </table>						Fee for Notice of Appeal:	<u>\$250.00</u>	Fee for Extension of Time:	<u>\$510.00</u>	<b>TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: <u>\$760.00</u></b>	
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Fee for Extension of Time:	<u>\$510.00</u>										
<b>TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: <u>\$760.00</u></b>											
<p>The fee for the Notice of Appeal and extension of time is to be paid as follows:</p> <p><input type="checkbox"/> A check in the amount of _____ for the Notice of Appeal and extension of time is enclosed.</p> <p><input checked="" type="checkbox"/> Please charge Deposit Account No. <u>13-4892</u> in the amount of <u>\$760.00</u></p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. <u>10/18/2005 BABRAHA1 00000086 134892 09388069</u></p> <p><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <u>01 FC:2401 250.00 DA</u>  <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <u>10/18/2005 BABRAHA1 00000086 134892 09388069</u>  <u>02 FC:2253 510.00 DA</u></p> <p><input checked="" type="checkbox"/> If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. <u>13-4892</u></p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p>											
<p><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p>											

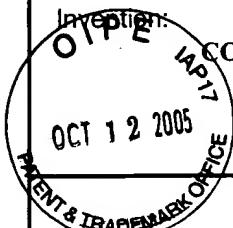
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09/388,069	9/1/1999	DANG, HUNG XUAN	NONE	2873	3357



**TO THE COMMISSIONER FOR PATENTS:**

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:

Dated: OCTOBER 12, 2005

*Signature*

**JOSEPH E. MUETH, ESQ.**

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

OCTOBER 12, 2005

*(Date)*

*Signature of Person Mailing Correspondence*

**SALLY SHORE**

*Typed or Printed Name of Person Mailing Correspondence*

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CC: